



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/827,476	04/06/2001	Motoki Ide	P/2291-100	6147

7590 01/11/2006

Steven I. Weisburd  
DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP  
1177 Avenue of Americas  
41st floor  
New York, NY 10036-2714

EXAMINER

HUYNH, THU V

ART UNIT	PAPER NUMBER
----------	--------------

2178

DATE MAILED: 01/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 09/827,476	Applicant(s) IDE ET AL.	
	Examiner Thu V. Huynh	Art Unit 2178	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 18 October 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. This action is responsive to communications: amendment file on 10/18/005 to application filed on 04/06/2001, which has priority of provisional filed on 04/07/2000.
2. Claims 8-10 and 13 are amended.
3. Claims 1-13 are pending in the case. Claims 1 and 7 are independent claims.
4. The objections of claims 8, 10 and 13 as having typographical errors, have been withdrawn as necessitate by the amendment.
5. The rejections of claims 1-13 under 35 U.S. C. 103(a) in previous office action have been withdrawn as necessitate by the amendment.

### *Claim Rejections - 35 USC § 112*

6. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

7. Claim 10 remains rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

In the remark of page 8, filed on 11/30/04, applicants stated with respect to claims 9 and 10 that, "support for the claims can be found at least on pages 10 and 11 of the specification".

However, examiner cannot find the limitations of claim 10, specifically at "when it is determined that the obtained content data is not described in the predetermined information".

Art Unit: 2178

description language, parsing the obtained content data based on discriminated content type of a previously obtained content data”.

In order to exam this application, Examiner assumes the limitation of claims 9-10 discussed above as “when it is determined that the obtained content data is not described in the predetermined information description language, parsing the obtained content data based on the discriminated content type of the obtained content data”.

***Claim Rejections - 35 USC § 102***

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

9. **Claims 1-2, 5, 7, 10, 13 remain rejected under 35 U.S.C. 102(e) as being anticipated by Colson et al., US 6,708,217 B1, filed 01/05/2000.**

**Regarding independent claim 1, Colson teaches the steps of:**

- a content obtainer for obtaining content data from a desired content server via a network in an unknown information description language (Colson, col.1, lines 35-47; obtaining a document from a server, wherein the document is able to be an HTML or XML content);
- a content-type discriminator for discriminating an information description language of the obtained content data from a plurality of predetermined content types (Colson,

Art Unit: 2178

- col.7, line 47 – col.8, line 15; determining an information description language of the document, such as “HTML text” from plurality of predetermined content types, such as content type “text/ascii” is ASCII text, “text/html” is HTML text, ect.);
- a plurality of parsers corresponding to respective ones of the plurality of predetermined content types, wherein the obtained content data is parsed by a corresponding parser depending on a discrimination information description language thereof to produce displaying information (Colson, col.1, lines 35-47; col.7, line 47 – col.8, line 15; plurality of parsers, such as HTML, XML processors corresponding to respective ones of plurality of the predetermined content types are used to parse the document to produce display information); and
  - a displaying section for displaying an obtained content based on the displaying information (Colson, col.1, lines 35-47, the document (HTML or XML) must be parsed to display the document).

**Regarding claim 2**, which is dependent on claim 1.. Colson teaches the plurality of predetermined content types are determined by respective ones of the information description languages having no compatibility with each other (Colson, col.1, lines 35-47; col.7, line 47 – col.8, line 15).

**Regarding claim 5**, which is dependent on claim 1, Colson teaches wherein the content-type discriminator discriminates a content type of the obtained content data by refereeing to a content-type indicating code included in a protocol header of the obtained content data (Colson,

Art Unit: 2178

col.2, lines 4-57, col.8, lines 45-67; searching the boundary string followed by a “content-type:” entry in the header of the document).

**Regarding independent claim 7**, Colson teaches the steps of:

- a) obtaining content data from a desired content server via a network having an unknown information description language (Colson, col.1, lines 35-47; obtaining a document from a server, wherein the document is able to be an HTML or XML content);
- b) discriminating an information description language of the obtained content data from a plurality of predetermined content types (Colson, col.7, line 47 – col.8, line 15; determining an information description language of the document, such as “HTML text” from plurality of predetermined content types, such as content type “text/ascii” is ASCII text, “text/html” is HTML text, ect.);
- c) parsing the obtained content data depending on a discrimination result of the step (b) to produce displaying information (Colson, col.1, lines 41-47, col.9, lines 1-6; the content registry using the content type retrieved to send the content (document) to corresponding content renders capable of rendering that document); and
- d) displaying an obtained content based on the display information (Colson, col.1, lines 41-47, col.9, lines 1-6).

**Regarding claim 10**, which is dependent on claim 1, Colson teaches wherein said discriminating step comprises the steps of:

Art Unit: 2178

- b.1) storing a plurality of unique codes each indicating the plurality of predetermined content types (Colson, figures 3-4; col.7, line 47 – col.8, line 15; col.9, lines 11-12, lookup content type in mapping registry);
- b.2) checking a code arranged at a predetermined location or the obtained content data to determine whether the code is text data (Colson, fig.4, col.2, lines 4-57; col.8, lines 45-67; col.9, lines 11-12, searching a boundary string follow by a “Content-type:” entry to discriminate the content type of the document for “text/html” or “audio/wav”);
- b.3) when it is determined that the code is not text data, searching the plurality of unique codes for a code arrange at a predetermined location of the obtained content data to discriminated the content type of the obtained content data (Colson, figures 3-4; col.7, line 47 – col.8, line 15; col.9, lines 11-12, lookup content type in mapping registry for a content type of the document in “content-type:” header); and

the step (c) comprises the steps of:

- c.1) when it determined that the code is text data, parsing the obtained content data based on description of a display information (Colson, col.1, lines 35-47; col.7, line 47 – col.8, line 15; html browser is used to parse the document having “text/html” content type); and
- c.2) when it determined that the code is not text data, parsing the obtained content data based on the discriminated content type of the obtained content data (Colson, fig.3; col.7, line 47 – col.8, line 15; col.9, lines 17-19; if the document audio, sending the document to audio processor for process).

**Regarding claim 13**, which is dependent on claim 10, wherein the predetermined information description language is one of HTML (Hypertext Markup Language) and compact HTML that is a subset of the HTML (Colson, col.1, lines 35-47; col.7, line 47 – col.8, line 15).

***Claim Rejections - 35 USC § 103***

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

(b) This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

10. **Claim 3 remain rejected under 35 U.S. C. 103(a) as being unpatentable over Colson as applied to claim 2 above and further in view of Halahmi, US 6,684,088 B1, filed 03/01/2000.**

**Regarding claim 3**, which is dependent on claim 2, Colson teaches wherein the information description languages include HTML (Hypertext Markup Language) and XML (eXtensible Markup Language) (Colson, col.1, lines 35-47; col.7, line 47 – col.8, line 15).

However, Colson does not explicitly disclose the information description languages include WML (Wireless Markup Language).



Art Unit: 2178

Halahmi teaches wherein the information description language include HTML (Hypertext Markup Language) and WML (Wireless Markup Language) (Halahmi, col.8, lines 16-18 and 30-32; col.9, lines 1-13 and 43-60; and col.11, lines 1-11 and 21-25; portion server parses the header information to identify different content types, such as text, image, TIFF, HTML, video or WML).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Halahmi's parsing method into Chu-Carroll to translate any document type including a WML type into a suitable document as Chu-Carroll disclosed in paragraphs 53, 71 and 140.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Halahmi's WML content type into Colson's HTML and XML, since the combination would have provide many predetermined content types so that a corresponding browsers are used to understand, parse, and produce display information.

**11. Claims 4, 6, 8-9, 12 remain rejected under 35 U.S. C. 103(a) as being unpatentable over Colson as applied to claim 1 and 7 above and further in view of Chu-Carroll et al., US 2003/0212686 A1, provisional filed 03/17/2000**

**Regarding claim 4**, which is dependent on claim 1, Colson does not explicitly teach wherein the content-type discriminator discriminates a content type of the obtained content data by refereeing to a code arranged at a predetermined location of the obtained content data.

Chu-Carroll teaches searching the plurality of unique codes for a code arranged at a predetermined location of the obtained content data to discriminate the content type of the

Art Unit: 2178

obtained content data (Chu-Carroll, [0067]-[0068], for XML document type, finding a marker at the first few lines of the document or top-level tag to identify the document type).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Chu-Carroll's teaching into Colson to identify a type of any document, such as HTML or XML, since the combination would have provides many techniques are used to identify the document type when either one of the techniques can not verify the document type.

**Regarding claim 6**, which is dependent on claim 1, Colson does not explicitly teaches the content-type discriminator discriminates a content type of the obtained content data by referring to a code arranged at a predetermined location of the obtained content data before referring to a content-type indicating code included in a protocol header of the obtained content data.

Chu-Carroll teaches wherein the content-type discriminator discriminates a content type of the obtained content data by refereeing to a code arranged at a predetermined location of the obtained content data (Chu-Carroll, [0067]-[0068], for XML document type, finding a marker at the first few lines of the document or top-level tag to identify the document type).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Chu-Carroll's teaching into Colson to identify a type of any document, such as HTML or XML, since the combination would have provides many techniques are used to identify the document type when either one of the techniques can not verify the document type.

**Regarding claim 8**, which is dependent on claim 7, Colson teaches wherein the step(b) comprises the steps of:

- b.1) storing a plurality of unique codes each indicating the plurality of predetermined content types (Colson, figures 3-4; col.7, line 47 – col.8, line 15; col.9, lines 11-12, lookup content type in mapping registry);
- b.3) using header of the obtained content data to discriminate the content type of the obtained content data (Colson, fig.4, col.2, lines 4-57; col.8, lines 45-67; col.9, lines 11-12, searching a boundary string follow by a “Content-type:” entry to discriminate the content type of the document).

However, Colson does not explicitly disclose searching the plurality of unique codes for a code arranged at a predetermined location of the obtained content data to discriminate the content type of the obtained content data.

Chu-Carroll teaches searching the plurality of unique codes for a code arranged at a predetermined location of the obtained content data to discriminate the content type of the obtained content data (Chu-Carroll, [0067]-[0068], for XML document type, finding a marker at the first few lines of the document or top-level tag to identify the document type).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Chu-Carroll’s teaching into Colson to identify a type of any document, such as HTML or XML, since the combination would have provides many techniques are used to identify the document type when either one of the techniques can not verify the document type.

**Regarding claim 9**, which is dependent on claim 7, Colson teaches wherein said discriminating step comprises the steps of:

- b.1) storing a plurality of unique codes each indicating the plurality of predetermined content types storing a plurality of unique codes each indicating the plurality of predetermined content types (Colson, figures 3-4; col.7, line 47 – col.8, line 15; col.9, lines 11-12, lookup content type in mapping registry);
- b.2) checking a protocol header of the obtained content data to determine whether the obtained content data is described in a predetermined information description language (Colson, fig.4, col.2, lines 4-57; col.8, lines 45-67; col.9, lines 11-12, searching a boundary string follow by a “Content-type:” entry to discriminate the content type of the document for XML or HTML); and

the step (c) comprises the steps of:

- c.1) when it is determined that the obtained content data is described in the predetermined information description language, parsing the obtained content data based on description or the predetermined information description language to produce the displaying information (Colson, col.1, lines 35-47; col.7, line 47 – col.8, line 15; col.9, lines 1-12; plurality of parsers, such as HTML, XML processors corresponding to respective ones of plurality of the predetermined content types are used to parse the document to produce display information); and
- c.2) when it is determined that the obtained content data is not described in the predetermined information description language, parsing the obtained

content data based on the content data type of obtained content data (Colson, col.7, line 47 – col.8, line 15; if the document audio, sending the document to audio processor for process).

However, Colson does not explicitly disclose searching the plurality of unique codes for a code arranged at a predetermined location of the obtained content data to discriminate the content type of the obtained content data.

Chu-Carroll teaches searching the plurality of unique codes for a code arranged at a predetermined location of the obtained content data to discriminate the content type of the obtained content data (Chu-Carroll, [0067]-[0068], for XML document type, finding a marker at the first few lines of the document or top-level tag to identify the document type).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Chu-Carroll's teaching into Colson to identify a type of any document, such as HTML or XML, since the combination would have provides many techniques are used to identify the document type when either one of the techniques can not verify the document type.

**Regarding claim 12**, which is dependent on claim 9, Colson teaches wherein the predetermined information description language is one of HTML (Hypertext Markup Language) and compact HTML that is a subset of the HTML (Colson, col.1, lines 35-47; col.7, line 47 – col.8, line 15).

**12. Claim 11 remain rejected under 35 U.S. C. 103(a) as being unpatentable over**

Art Unit: 2178

**Colson as applied to claim 7, and further in view of Gillon et al., US 5,838,927, filed 11/1996.**

**Regarding claim 11**, which is dependent on claim 7, Colson teaches wherein the said discriminating step comprises the steps of:

- b.1) storing a plurality of content types used in predetermined communication protocol, each of the content type indicating the plurality of predetermined content types (Colson, figures 3-4; col.7, line 47 – col.8, line 15; col.9, lines 11-12, lookup content type in mapping registry);
- b.2) searching the plurality of content types of the obtained content data to discriminate the content type of the obtained content data (Colson, figures 3-4, col.2, lines 4-57; col.8, lines 45-67; col.9, lines 11-12, searching a string follow by a “Content-type:” entry, such as “text/html”, “image/gif” or “audio/wav” to discriminate the content type of the document).

However, Colson does not explicitly disclose using file name extension to discriminate the content type of the obtained content data.

Gillon teaches using content type header or file extension to determine data type (Gillon, fig.6, box 604) includes the steps of

- a) storing a plurality of file name extensions used in predetermined communication protocol, each of the file name extensions indicating the plurality of predetermined content types (Gillon, col.7, lines 3-9; identifying the content type by matching the file extension of the obtained file with predetermined types. This inherently discloses that the predetermined types must be stored in order matching process); and

Art Unit: 2178

- b) searching the plurality of file name extensions for a file name extension of the obtained content data to discriminate the content type of the obtained content data (Gillon, col.5, lines 38-67 and col.7, lines 3-9; identifying the content type by matching the file extension of the obtained file with predetermine types. This inherently discloses searching process must be occurred in order matching the file extension of the obtained file with predetermine types).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Gillon's teaching into Colson to identify a type of a document, since the combination would have provided many techniques are used to identify the document type when either one of the techniques can not verify the document type.

### *Response to Arguments*

13. Applicant's arguments filed on 10/18/05 have been fully considered but they are not persuasive.

Applicants argue that "According to the presentation specification, communication terminals such as a cellular telephone request content from a network. The content is delivered utilizing a mark-up language such as HTML or WML. However, when the cellular telephone requests this information, it does not know whether the information will be received as HTML or WML content. As such, the cellular telephone utilizes a discriminator to determine whether the information is HTML or WML, and once that is determined, the content is sent to the appropriate parser for parsing. The content is displayed on a display section" and Colson does not disclose "content data is obtained from a desired content server via a network in an unknown information

Art Unit: 2178

description language and a content type discriminator for discriminating an information description language” (Remark, pages 8).

This is not persuasive. Colson teaches a user requesting a Web page uses a Web browser to generate a request to a Web server. The requested document, such as text document only is delivered utilizing a markup language, such as HTML or XML. If the requested document is delivered in XML format, a corresponding parser must process the requested document before displaying it (Colson, col.1, lines 35-47); and “This content type is interpreted by the receiving Web browser as it determines how to process and render the received Web document” (Colson, page 2, lines 33-36). These indicate that the browser requests the text document does not know whether the information will be received as HTML or XML. When the text document is received, the browser must determine what markup language the text document is encoded/formatted to process and render the received text document, for example if the text document is encoded in XML mark, a corresponding parser must be used to process the text document. Therefore, Colson teaches such limitation as explained in the rejection above.

### ***Conclusion***

14. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period



Art Unit: 2178

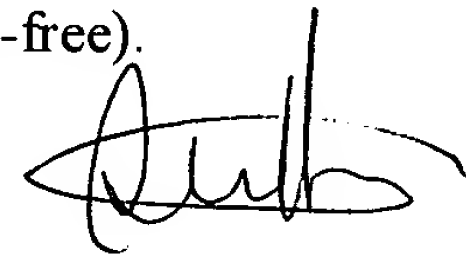
will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu V Huynh whose telephone number is (571) 272-4126. The examiner can normally be reached on Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen S Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TVH  
January 3, 2006



**STEPHEN HONG**  
**SUPERVISORY PATENT EXAMINER**